

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 2681 – SB 2722

March 9, 2018

SUMMARY OF ORIGINAL BILL: Requires the Sam Davis Memorial Association to evaluate the needs of the Sam Davis home and report the results to the chairs of the Finance, Ways, and Means Committees of the General Assembly no later than January 15, 2019.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENT (014498): Deletes all language after the enacting clause. Removes a parcel of land from the Sam Davis Memorial Association (SDMA) trust. Authorizes the SDMA to sell land removed from the trust upon being granted a waiver by the Tennessee Historical Commission (THC).

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions for the bill as amended:

- Pursuant to Tenn. Code Ann. § 4-13-301, the State of Tennessee conveyed land in a trust to the SDMA.
- The SDMA is a private organization.
- Under current law, pursuant to Tenn. Code Ann. § 4-1-412(a), a memorial is any public real property which is owned, leased, rented, managed, or maintained by or under the authority of the state by any public entity created by act of the General Assembly to perform any public function.
- Pursuant to Tenn. Code Ann. § 4-1-412, no memorial may be altered without first having received a waiver from the THC.
- The SDMA will be required to receive a waiver from the THC prior to revoking part of the trust. Any hearing required by the THC regarding the waiver can be accomplished at a regularly-scheduled meeting and will not result in any increase in state expenditures.

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- Upon being granted a waiver, the proposed language would remove a tract of land from the trust, authorize the SDMA to sell such property, and utilize the proceeds from such sale to finance repairs and upkeep of the property which remains in the trust.
- The proposed language prohibits the land removed from the trust from reverting back to ownership by the State of Tennessee; therefore any fiscal impact to state government is estimated to be not significant.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in blue ink that reads "Krista M. Lee". The signature is written in a cursive, flowing style.

Krista M. Lee, Executive Director

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